



NOTICE OF PROPOSED RULE ADOPTION
STATE OF MISSISSIPPI
Mississippi Commission on Environmental Quality
Mississippi Department of Environmental Quality

Mississippi Commission on Environmental Quality
c/o Roy Furrh, General Counsel
Department of Environmental Quality
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Miss. Code Ann. 49-2-9, 49-17-25, 49-17-405, and 49-17-413
Rev. 2003
Reference to Rules repealed, amended or suspended by the Proposed Rule:

Mississippi Groundwater Protection Trust Fund Regulations (UST-1)

Specific Legal Authority Authorizing the promulgation of Rule:

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: This proposed rule will amend the present Mississippi Groundwater Protection Trust Fund Regulations by allowing UST tank owners to designate response action contractor for direct payment by MDEQ for costs incurred that were necessary, fair, and reasonable for investigation, assessment, and/or remediation of confirmed releases covered by the trust fund, and to increase the maximum eligible costs incurred up to \$1,500,000 for investigation, assessment, and/or remediation for each confirmed release covered by the trust fund.

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding:

Check one box below:

☒ An oral proceeding is scheduled on this rule on

Date: December 1, 2009

Time: 1:30 PM

Place: Commission Hearing Room, 515 East Amite Street, Jackson, MS

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached

Date Rule Proposed: December 1, 2009

Proposed Effective Date of Rule: January 14, 2010

Jerry B. Banks, P.E., BCE
Chief, Groundwater Assessment & Remediation Division